

JERRY DRYE,
Plaintiff,

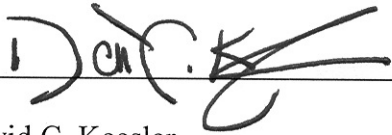
v.

BANKERS LIFE AND CASUALTY
CO., et al.,
Defendants

THIS MATTER IS BEFORE THE COURT on the “Defendants’ Joint Motion to Dismiss the Third, Fourth and Sixth Cause of Action of the First Amended Complaint” (Document No. 10), filed August 15, 2005 by Bankers Life and Casualty Company, Hans Scheil and William Baylog; and the “Plaintiff’s Second Motion to Remand to State Court and Memorandum in Support Thereof” (Document No. 13), filed August 29, 2005 by Jerry Drye. On October 12, 2005, the Court was notified by counsel for Mr. Drye that the case had been settled and that a stipulation of dismissal would be filed shortly. Accordingly, the Court will deny the motions as moot.

IT IS, THEREFORE, ORDERED that the “Defendants’ Joint Motion to Dismiss the Third, Fourth and Sixth Cause of Action of the First Amended Complaint” (Document No. 10) and the “Plaintiff’s Second Motion to Remand to State Court and Memorandum in Support Thereof” (Document No. 13) are **DENIED AS MOOT**.

Signed: October 12, 2005



David C. Keesler
United States Magistrate Judge

